

ORIGINALUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMUEL L. JONES JR.,

Plaintiff,

- against -

INFINITY BROADCASTING CORP. OF
WASHINGTON, D.C. n/k/a C.B.S. RADIO
INC. OF WASHINGTON, D.C.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/25/07

07 Civ. 5693 (BSJ)

BOND NO. 104913898
PRELIMINARY INJUNCTION

WHEREAS, the above named Defendant INFINITY BROADCASTING CORP. OF WASHINGTON, D.C. n/k/a C.B.S. RADIO INC. OF WASHINGTON, D.C., has moved for and obtained a Preliminary Injunction in the above entitled matter preliminarily enjoining SAMUEL L. JONES JR. and RADIO ONE, INC., and all those acting in concert or participation with them, from using the HUGGY LOWDOWN trademark in any way in connection with radio broadcast or promotion within the Washington, D.C. Total Survey Area, as defined by the Arbitron ratings service, until May 26, 2008. The Order was granted by The Honorable Barbara S. Jones, U.S.D.J., on July 24, 2007, under and by virtue of the Federal Rules of Civil Procedure upon the posting of an undertaking in the sum of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00).

NOW, THEREFORE, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, having an office and principal place of business in the State of New York, at 485 Lexington Avenue, New York, NY 10017, as Surety, authorized to conduct business in the State of New York, does hereby undertake that Defendant INFINITY BROADCASTING CORP. OF WASHINGTON, D.C. n/k/a C.B.S. RADIO INC. OF WASHINGTON, D.C., will pay to SAMUEL L. JONES JR. and RADIO ONE, INC., so enjoined, such damages and costs not exceeding TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00), as they may sustain by reason of the Preliminary Injunction, if the Court shall finally decide that the Defendant was not entitled thereto: such damages and costs to be ascertained by a reference, or otherwise as the Court shall direct.

Dated: NEW YORK, NEW YORK

July 24, 2007

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA


BY: 

Elizabeth Marrero, Attorney-in-Fact

Approved 7/25/07

S. Michael M. Marrero

C. Cook

By: 
Deputy

ACKNOWLEDGEMENT OF SURETY

STATE OF NEW YORK

COUNTY OF NEW YORK SS:

On this 24th day of July, 2007, before me personally appeared, Elizabeth Marrero, who is to me well known, who being by me duly sworn, did depose and say that he/she resides in New York, NY, and that he/she is the Attorney-in-Fact of Travelers Casualty and Surety Company of America, the corporation described in and who executed the within instrument as Surety; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.


Notary Public or Commissioner of Deeds

VALORIE M. SPATES
Notary Public, State of New York
No. 01SP6135425
Qualified in Queens County
Commission Expires Oct. 17, 2009



**CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK
INSURANCE LAW**

**STATE OF NEW YORK
INSURANCE DEPARTMENT**

It is hereby certified that

**TRAVELERS CASUALTY & SURETY COMPANY OF AMERICA
of Hartford, Connecticut**

a corporation organized under the laws of the State of Connecticut, and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$1,127,900,751 (Capital \$6,000,000) as is shown by its sworn financial statement for the year ended December 31, 2006 on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-
unto set my hand and affixed the
official seal of this Department
at the City of Albany, this 2nd
day of May, 2007.

Eric R. Dinallo
Superintendent of Insurance

By 
Salvatore Castiglione
Special Deputy Superintendent

State of New York
INSURANCE DEPARTMENT

WHEREAS IT APPEARS THAT

Travelers Casualty and Surety Company

Home Office Address **Hartford, Connecticut**

Organized under the Laws of **Connecticut**

has complied with the necessary requirements of or pursuant to law, it is hereby

licensed to do within this State the business of

accident and health, fire, miscellaneous property, water damage, burglary and theft, glass, boiler and machinery, elevator, collision, personal injury liability, property damage liability, workers' compensation and employers' liability, fidelity and surety, credit, motor vehicle and aircraft physical damage, marine and inland marine, marine protection and indemnity, residual value, gap, and service contract reimbursement insurance, as specified in paragraph(s) 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 26(A)(B)(C)(D), and 28 of Section 1113(a) of the New York Insurance Law, and also such workers' compensation insurance as may be incident to coverages contemplated under paragraphs 20 and 21 of Section 1113(a), including insurances described in the Longshoremen's and Harbor Workers' Compensation Act (Public Law No. 803, 69 Cong. as amended; 33 USC Section 901 et seq. as amended) and as authorized by Section 4102(e), reinsurance of every kind or description to the extent permitted by certified copy of its charter document on file in this Department until July 1, 2008.



**In Witness Whereof, I have hereunto set
my hand and affixed the official seal of this
Department at the City of Albany, New York, this
1st day of July, 2007**

**Eric A. Dinello
Superintendent**

By *Salvatore Castiglione*

**Salvatore Castiglione
Special Deputy Superintendent**

Original on Watermarked Paper

**POWER OF ATTORNEY**

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 218261

Certificate No. 001649619

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Robert McDonough, Glenn Pelletiere, Betty Calderon, Debra A. Deming, Vivian Carti, Halina Kazmierczak, Cynthia Farrell, Sandra Diaz, Elizabeth Marrero, Thomas Rhatigan, Evangelina L. Dominick, Annette Leuschner, and Michael Kubis

of the City of New York, State of New York, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 2nd day of February, 2007.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: 

George W. Thompson, Senior Vice President

On this the 2nd day of February, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2011.




 Marie C. Tetreault, Notary Public

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2006

AS FILED IN THE STATE OF NEW YORK

CAPITAL STOCK \$ 8,000,000

ASSETS		LIABILITIES & SURPLUS	
CASH & INVESTED CASH	\$ 114,080,781	UNEARNED PREMIUMS	\$ 724,000,438
BONDS	2,912,711,871	LOSSES	872,911,763
STOCK	14,865,188	LOSS ADJUSTMENT EXPENSES	128,788,184
INVESTMENT INCOME DUE AND ACCRUED	34,878,381	COMMISSIONS	28,075,888
PREMIUM BALANCES	108,157,286	TAXES, LICENSES AND FEES	21,233,762
REINSURANCE RECOVERABLE	3,954,977	OTHER EXPENSES	30,823,925
NET DEFERRED TAX ASSET	42,788,200	DIVIDENDS	7,089,280
CEDED DEPOSIT ASSET	8,184,822	CURRENT FEDERAL AND FOREIGN INCOME TAXES	36,729,882
STATE SURCHARGES RECEIVABLE	149,430	CEDED REINSURANCE NET PREMIUMS PAYABLE	(4,881,882)
OTHER ASSETS	(4,414,080)	FUNDS HELD UNDER REINSURANCE TREATIES	89,064,332
		AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	38,086,830
		REMITTANCES AND ITEMS NOT ALLOCATED	80,285,233
		PROVISION FOR REINSURANCE	8,388,681
		PAYABLE TO PARENT, SUBSIDIARIES & AFFILIATES	88,268,776
		PAYABLE FOR SECURITIES	4,975,100
		RETROACTIVE REINSURANCE RESERVE ASSUMED	20,845,771
		OTHER ACCRUED EXPENSES AND LIABILITIES	119,334
		TOTAL LIABILITIES	\$ 2,164,278,387
		CAPITAL STOCK	\$ 8,000,000
		PAID IN SURPLUS	303,297,402
		OTHER SURPLUS	817,840,802
		TOTAL SURPLUS TO POLICYHOLDERS	\$ 1,127,138,204
TOTAL ASSETS	\$ 3,301,414,356	TOTAL LIABILITIES & SURPLUS	\$ 3,301,414,356

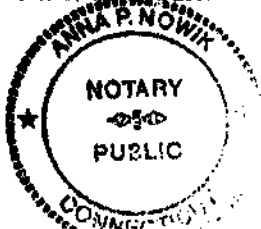
STATE OF CONNECTICUT)
COUNTY OF HARTFORD) ss.
CITY OF HARTFORD)

LAWRENCE A. SIUTA, BEING DULY SWORN, SAYS THAT HE IS CHIEF FINANCIAL OFFICER - TRAVELERS BOND & FINANCIAL PRODUCTS, OF TRAVELERS CASUALTY SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31st DAY OF DECEMBER, 2006.

L. A. Siuta
CHIEF FINANCIAL OFFICER - TRAVELERS BOND & FINANCIAL PRODUCTS

Anna P. Nowik
NOTARY PUBLIC

SUBSCRIBED AND SWORN TO BEFORE ME THIS
29TH DAY OF MARCH, 2007



Anna P. Nowik Notary Public
My Commission Expires June 30, 2011